

CITY OF SANTA BARBARA CITY COUNCIL

Helene Schneider
Mayor
Grant House
Mayor Pro Tempore
Bendy White
Ordinance Committee Chair
Das Williams
Finance Committee Chair
Dale Francisco
Frank Hotchkiss
Michael Self



James L. Armstrong
City Administrator

Stephen P. Wiley
City Attorney

City Hall
735 Anacapa Street
<http://www.SantaBarbaraCA.gov>

AUGUST 10, 2010 AGENDA

ORDER OF BUSINESS: Regular meetings of the Finance Committee and the Ordinance Committee begin at 12:30 p.m. The regular City Council meeting begins at 2:00 p.m. in the Council Chamber at City Hall.

REPORTS: Copies of the reports relating to agenda items are available for review in the City Clerk's Office, at the Central Library, and <http://www.SantaBarbaraCA.gov>. In accordance with state law requirements, this agenda generally contains only a brief general description of each item of business to be transacted or discussed at the meeting. Should you wish more detailed information regarding any particular agenda item, you are encouraged to obtain a copy of the Council Agenda Report (a "CAR") for that item from either the Clerk's Office, the Reference Desk at the City's Main Library, or online at the City's website (<http://www.SantaBarbaraCA.gov>). Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office located at City Hall, 735 Anacapa Street, Santa Barbara, CA 93101, during normal business hours.

PUBLIC COMMENT: At the beginning of the 2:00 p.m. session of each regular City Council meeting, and at the beginning of each special City Council meeting, any member of the public may address the City Council concerning any item not on the Council's agenda. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that public comment is taken up by the City Council. Should City Council business continue into the evening session of a regular City Council meeting at 6:00 p.m., the City Council will allow any member of the public who did not address them during the 2:00 p.m. session to do so. The total amount of time for public comments will be 15 minutes, and no individual speaker may speak for more than 1 minute. The City Council, upon majority vote, may decline to hear a speaker on the grounds that the subject matter is beyond their jurisdiction.

REQUEST TO SPEAK: A member of the public may address the Finance or Ordinance Committee or City Council regarding any scheduled agenda item. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that the item is taken up by the Finance or Ordinance Committee or City Council.

CONSENT CALENDAR: The Consent Calendar is comprised of items that will not usually require discussion by the City Council. A Consent Calendar item is open for discussion by the City Council upon request of a Councilmember, City staff, or member of the public. Items on the Consent Calendar may be approved by a single motion. Should you wish to comment on an item listed on the Consent Agenda, after turning in your "Request to Speak" form, you should come forward to speak at the time the Council considers the Consent Calendar.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the City Administrator's Office at 564-5305 or inquire at the City Clerk's Office on the day of the meeting. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

TELEVISION COVERAGE: Each regular City Council meeting is broadcast live in English and Spanish on City TV Channel 18 and rebroadcast in English on Wednesdays and Thursdays at 7:00 p.m. and Saturdays at 9:00 a.m., and in Spanish on Sundays at 4:00 p.m. Each televised Council meeting is closed captioned for the hearing impaired. Check the City TV program guide at www.citytv18.com for rebroadcasts of Finance and Ordinance Committee meetings, and for any changes to the replay schedule.

ORDER OF BUSINESS

2:00 p.m. - City Council Meeting

REGULAR CITY COUNCIL MEETING – 2:00 P.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

CEREMONIAL ITEMS

1. **Subject: Proclamation Declaring August 2010 As Spinal Muscular Atrophy Awareness Month (120.04)**

CHANGES TO THE AGENDA

PUBLIC COMMENT

CONSENT CALENDAR

2. **Subject: Minutes**

Recommendation: That Council waive the reading and approve the minutes of the special meeting of July 20, and the adjourned regular meeting of July 26, 2010.

CONSENT CALENDAR (CONT'D)

3. Subject: Airport Maintenance Division Proposed Reorganization (560.01)

Recommendation: That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 10-045, the Position and Salary Control Resolution for Fiscal Year 2010-11, Pertaining to the Airport Department.

4. Subject: Increase To Purchase Order For Emergency Pipeline Repair Work Completed At The El Estero Wastewater Treatment Plant (540.13)

Recommendation: That Council authorize the General Services Manager to increase Purchase Order No. 77730 to Lash Construction, Inc., by \$18,826.51 for a total of \$33,826.51 for emergency repair work performed at the El Estero Wastewater Treatment Plant.

NOTICES

5. The City Clerk has on Thursday, August 5, 2010, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.
6. A City Council site visit is scheduled for Monday, August 16, 2010, at 1:30 p.m. to the property located at 401½ Old Coast Highway, which is the subject of an appeal hearing set for August 17, 2010, at 2:00 p.m.

This concludes the Consent Calendar.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS

CITY ADMINISTRATOR

7. Subject: Request From Mayor Schneider And Councilmember Francisco Regarding Sheriff Bill Brown's Initiative For ½ Percent Sales Tax for Public Safety (Measure S-2010) (150.04)

Recommendation: That Council:

- A. Receive a presentation from Sheriff Bill Brown regarding the initiative for the local crime and gang reduction, fire protection and jail construction/operation ordinance imposing a County of Santa Barbara ½ percent transaction (sales) and use tax ballot measure (Measure S-2010); and
- B. If appropriate, direct staff to return to Council with a resolution of support for Measure S-2010.

CITY COUNCIL ADMINISTRATIVE AND ATTORNEY REPORTS (CONT'D)

COMMUNITY DEVELOPMENT DEPARTMENT

8. Subject: *Plan Santa Barbara*, Summary Direction (650.05)

Recommendation: That Council hold a work session and provide direction to staff for preparation of the Final Environmental Impact Report (EIR) and General Plan Update policy documents.

(Continued from August 3, 2010, Item No. 12)

COUNCIL AND STAFF COMMUNICATIONS

COUNCILMEMBER COMMITTEE ASSIGNMENT REPORTS

ADJOURNMENT

To Monday, August 16, 2010, at 1:30 p.m. at 401½ Old Coast Highway. (See Item No. 6)



PROCLAMATION

Spinal Muscular Atrophy Awareness Month August 2010

WHEREAS, Spinal Muscular Atrophy (SMA) is the leading genetic killer of children under the age of two and one in 40 Americans carry the gene that causes SMA; and

WHEREAS, Spinal Muscular Atrophy is known to cause degeneration in voluntary muscle movement for those that survive with the disease; and

WHEREAS, Spinal Muscular Atrophy crosses all racial and ethnic boundaries, and can strike anyone of any age, race or gender; and

WHEREAS, increased awareness of Spinal Muscular Atrophy will lead to increased knowledge and increased support for both disease research and the families affected by the disease, hopefully leading to a cure; and

WHEREAS, patient groups have named August as National Spinal Muscular Atrophy Awareness Month in order to raise awareness and help promote research and the families affected by the disease, hopefully leading to a cure.

NOW THEREFORE, I, HELENE SCHNEIDER, by virtue of the authority vested in me as Mayor of the City of Santa Barbara, California, do hereby proclaim August 2010 as **SPINAL MUSCULAR ATROPHY AWARENESS MONTH** and encourage members of our community to raise awareness and to support organizations that are working hard to find a treatment and/or a cure for SMA, including the families of SMA.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Official Seal of the City of Santa Barbara, California, to be affixed this 10th day of August, 2010.




HELENE SCHNEIDER
Mayor



CITY OF SANTA BARBARA

CITY COUNCIL MINUTES

SPECIAL MEETING
July 20, 2010
COUNCIL CHAMBER, 735 ANACAPA STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 9:04 a.m.

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Bendy White, Das Williams, Mayor Schneider.

Councilmembers absent: Michael Self.

Staff present: City Administrator James L. Armstrong, City Attorney Stephen P. Wiley, Deputy City Clerk Brenda Alcazar.

PUBLIC COMMENT

No one wished to speak.

NOTICES

The City Clerk has on Thursday, July 15, 2010, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

WORK SESSIONS

Subject: Program Environmental Impact Report (EIR) for the Plan Santa Barbara General Plan Update (650.05)

Recommendation: That Council hold a work session on the Program Environmental Impact Report (EIR) for the Plan Santa Barbara General Plan Update, including presentations by staff of the City Attorney's Office and Planning Division.

(Cont'd)

Subject: Program Environmental Impact Report (EIR) for the Plan Santa Barbara
General Plan Update (Cont'd)

Documents:

- July 20, 2010, report from the Assistant City Administrator/Community Development Director.
- July 20, 2010, PowerPoint presentations prepared and made by Staff.
- July 19, 2010, letter from Norbert Dall of Dall & Associates, Coastal Consultant to Mr. Thomas Felkay.
- July 20, 2010, written comments submitted by Kellam de Forest.

Speakers:

- Staff: Principal Planner John Ledbetter, City Attorney Stephen Wiley, Project Planner Barbara Shelton, City Planner Bettie Weiss, Water Resources Supervisor Bill Ferguson, City Administrator James Armstrong.
- AMEC (Consultant to the City): Dan Gira, Earth & Environmental Division.
- Water Commission: Commissioner Landon Neustadt.
- Planning Commission: Commissioner Sheila Lodge.
- Members of the Public: Michael Gray; Kellam de Forest; Connie Hannah, Santa Barbara League of Women Voters; Michael A. Petretta.

Discussion:

Principal Planner John Ledbetter provided an overview of the topics to be discussed during the work session. City Attorney Stephen Wiley made a presentation on the fundamental aspects of the California Environmental Quality Act and the City Attorney's role.

Project Planner Barbara Shelton spoke about the process for preparing the proposed Environmental Impact Report. Staff responded to questions from the Councilmembers.

Principal Planner John Ledbetter made a presentation on the Adaptive Management Program and its purpose. Councilmembers made comments and Staff responded to their questions.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 12:18 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

_____ ATTEST: _____	
HELENE SCHNEIDER	BRENDA ALCAZAR, CMC
MAYOR	DEPUTY CITY CLERK



CITY OF SANTA BARBARA CITY COUNCIL MINUTES

ADJOURNED REGULAR MEETING July 26, 2010 3052 STATE STREET

CALL TO ORDER

Mayor Helene Schneider called the meeting to order at 1:45 p.m.

PLEDGE OF ALLEGIANCE

Mayor Schneider.

ROLL CALL

Councilmembers present: Dale Francisco, Frank Hotchkiss, Grant House, Michael Self, Mayor Schneider.

Councilmembers absent: Bendy White, Das Williams.

Staff present: Assistant City Administrator Marcelo López, City Attorney Stephen P. Wiley.

PUBLIC COMMENT

No one wished to speak.

NOTICES

The City Clerk has on Thursday, July 22, 2010, posted this agenda in the Office of the City Clerk, on the City Hall Public Notice Board on the outside balcony of City Hall, and on the Internet.

SITE VISIT

Subject: 3052 State Street

Recommendation: That Council make a site visit to the property located at 3052 State Street, which is the subject of an appeal hearing set for July 27, 2010, at 2:00 p.m.

(Cont'd)

Subject: 3052 State Street (Cont'd)

Speakers:

Staff: Senior Planner Jaime Limón, Principal Transportation Planner Rob Dayton.

Councilmember Williams entered the meeting at 1:50 p.m.

Discussion:

Staff provided an overview of the site plans for the project and responded to questions from the Councilmembers.

Councilmember Williams left the meeting at 1:58 p.m.

ADJOURNMENT

Mayor Schneider adjourned the meeting at 2:00 p.m.

SANTA BARBARA CITY COUNCIL

SANTA BARBARA
CITY CLERK'S OFFICE

_____	ATTEST: _____
HELENE SCHNEIDER MAYOR	BRENDA ALCAZAR, CMC DEPUTY CITY CLERK



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 10, 2010

TO: Mayor and Councilmembers

FROM: Administration Division, Airport Department

SUBJECT: Airport Maintenance Division Proposed Reorganization

RECOMMENDATION:

That Council adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Amending Resolution No. 10-045, the Position and Salary Control Resolution for Fiscal Year 2010-11, Pertaining to the Airport Department.

DISCUSSION:

The recent retirement of the Airport Maintenance Supervisor presented an opportunity to evaluate the organizational structure of the Airport's Maintenance Division to better meet the Department's current and future needs. As a result of the evaluation, Airport Department management staff developed a reorganization plan that will improve the Division's effectiveness and address weaknesses of the current structure.

Current Maintenance Division Organization

The Airport Operations Manager is responsible for the Maintenance, Patrol, and Operations Divisions. The Maintenance Division includes the Airport Maintenance Supervisor and 21 maintenance, grounds, and custodial employees. The Patrol Division includes the Airport Patrol Supervisor and 16 patrol and operations employees. The Airport Operations/Noise Specialist and the Environmental Compliance Officer also report to the Operations Manager. There are a total of 42 employees under the supervision of the Operations Manager as shown on the current Department Organization Chart (Attachment 1). This is about 75% of the Department workforce.

The evaluation of the Maintenance Division organization included review of the current structure and its strengths and weaknesses in communication, decision making, and coordination with other divisions, accountability, and support for division employees. The span of control and similarity of function between subordinates was also considered as well as the organizational structure of other City departments providing similar

services and types of work. Also considered was future workload due to operation of the new Airline Terminal facilities and additional regulatory requirements.

Proposed Maintenance Division Organization

Changes to the current Maintenance Division organizational structure are proposed. In order to implement the new structure the following staffing changes are proposed:

- Eliminate the Environmental Compliance Officer position and add an Airport Maintenance Superintendent position

The Airport Maintenance Superintendent will supervise, plan and coordinate the activities and operations of the Airport Department Maintenance Division, coordinate assigned activities with other divisions, outside agencies and the general public; and provide highly responsible and complex staff assistance to the Airport Operations Manager. This position will manage the monitoring, compliance, and reporting requirements for existing and future regulatory permit programs now the responsibility of the Environmental Compliance Officer. This position will supervise the Airport Maintenance Supervisor and the Custodial Supervisor.

The Airport Maintenance Superintendent will report to the Airport Operations Manager.

- Reclassify the Airport Maintenance Supervisor to the same salary range as a Maintenance Supervisor II.

With the addition of the Airport Maintenance Superintendent and the Custodial Supervisor, the Airport Maintenance Supervisor's responsibilities will be reduced. This position will no longer be responsible for supervising the nine member Airport custodial staff. Also a significant portion of the position's administrative duties will now be performed by the Airport Maintenance Superintendent. The Airport Maintenance Supervisor will continue to supervise, plan and coordinate the maintenance and construction activities and operations, and coordinate assigned activities with other divisions, outside agencies and the general public. The Airport Maintenance Supervisor will report to the Airport Maintenance Superintendent and will directly supervise 11 Maintenance staff.

- Eliminate a Custodial Crew Leader position and add a Custodial Supervisor position

The Custodial Supervisor will supervise 8 permanent full time custodians and hourly custodians, as required. The Custodial Supervisor will supervise, assign and review the work of staff responsible for providing custodial services; oversee all work activities; and perform a variety of technical tasks relative to the assigned area of responsibility. The Custodial Supervisor will also be responsible for monitoring

contracts and the work performed by specialty janitorial services at the Terminal. The addition of the position is recommended due to the proposed increased number of custodial employees, the location of their work site and schedules, and the new programs and service contracts that will be implemented with the new Terminal. The Custodial Supervisor will report to the Airport Maintenance Superintendent.

Benefits of the Proposed Maintenance Division Organization

The benefits of implementing the proposed reorganization are as follows:

- Facilitates analysis and evaluation of new and existing programs, procedures, and personnel;
- Places major effort on planning and program management;
- Consolidates responsibility for compliance and reporting for all environmental permit and sustainability compliance programs into the Maintenance Division;
- Provides resources and expertise in analyzing maintenance and utility report data to determine the effectiveness of operations and the responsibility for making corrections so that work is completed to standard;
- Facilitates decision making based on data that has been evaluated with emphasis on cost and feasibility;
- Provides more direct leadership and accountability for custodial employees and provides oversight for specialty janitorial contracts and sustainability programs related to the new Terminal;
- Continues the field supervision of employees and coordination with contractors, tasks that are currently being performed as expected.

Budget Impacts

The budget impact of the proposed reorganization will be a net increase of less than \$5,000 annually, which can be accommodated within the Airport Department budget.

SUBMITTED BY: Karen Ramsdell, Airport Director

APPROVED BY: City Administrator's Office

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING RESOLUTION NO. 10-045, THE POSITION AND SALARY CONTROL RESOLUTION FOR FISCAL YEAR 2010-11, PERTAINING TO THE AIRPORT DEPARTMENT.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT Resolution No. 10-045, the Position and Salary Control Resolution for Fiscal Year 2010-11, is hereby amended as follows:

	<u>Full-Time Positions Authorized</u>	<u>Part-Time Positions Authorized</u>
<u>AIRPORT DEPARTMENT</u>		
<u>CERTIFICATION & OPERATIONS</u>		
Environmental Compliance Officer	4	
Division Total	4	3
<u>MAINTENANCE</u>		
Airport Maintenance Superintendent		1
Custodial Crew Leader	4	
Custodial Supervisor		1
Division Total	22	23
Department Total	53	1

<u>Classification Title</u>	<u>FLSA</u>	<u>Service Status</u>	<u>Unit</u>	<u>Range</u>	<u>Biweekly Salary</u>
Airport Maintenance Superintendent	E	U	S	425	\$3464.12 – \$4210.67
Airport Maintenance Supervisor	E	U	S	383	\$2809.44 – \$3414.89
Custodial Crew Leader	N	G	G	271	\$1607.01 – \$1953.33
Environmental Compliance Officer	E	G	G	378	\$2740.25 – \$3330.79



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 10, 2010

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department

SUBJECT: Increase To Purchase Order For Emergency Pipeline Repair Work Completed At The El Estero Wastewater Treatment Plant

RECOMMENDATION:

That Council authorize the General Services Manager to increase Purchase Order No. 77730 to Lash Construction, Inc., by \$18,826.51 for a total of \$33,826.51 for emergency repair work performed at the El Estero Wastewater Treatment Plant.

DISCUSSION:

On April 21, 2010, a subsurface pipeline at the El Estero Wastewater Treatment Plant broke, causing 420 gallons of partially-treated wastewater to be discharged into the nearby Laguna Channel. Staff was able to recover 200 gallons of the spilled wastewater. The City Administrator and the City Council were informed of this emergency at the time of the spill.

An emergency Purchase Order in the amount of \$15,000 was issued to perform emergency repair work associated with pipeline excavation, repair and replacement, and appurtenant facility restoration. Due to the difficult nature of this emergency work, the original Purchase Order cost estimate was exceeded by \$18,826.51. Council approval is needed to increase the Purchase Order in order to remit payment to Lash Construction, Inc.

BUDGET/FINANCIAL INFORMATION:

There is adequate funding included in the Fiscal Year 2011 Wastewater budget to provide payment for this completed emergency construction work.

PREPARED BY: Christopher Toth, Wastewater System Manager/mh

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 10, 2010

TO: Mayor and Councilmembers

FROM: City Administrator's Office

SUBJECT: Request From Mayor Schneider And Councilmember Francisco Regarding Sheriff Bill Brown's Initiative For ½ Percent Sales Tax For Public Safety (Measure S-2010)

RECOMMENDATION: That Council:

- A. Receive a presentation from Sheriff Bill Brown regarding the initiative for the local crime and gang reduction, fire protection and jail construction/operation ordinance imposing a County of Santa Barbara ½ percent transaction (sales) and use tax ballot measure (Measure S-2010); and
- B. If appropriate, direct staff to return to Council with a resolution of support for Measure S-2010.

DISCUSSION:

Mayor Schneider and Councilmember Francisco have requested a presentation from Sheriff Bill Brown regarding Measure S-2010. The Council will consider Sheriff Brown's report, the information below and the effect on the City of Santa Barbara in determining its direction to staff, including drafting a resolution of support for Measure S-2010.

BUDGET/FINANCIAL INFORMATION:

The ½ percent increase would become effective July 1, 2011 and be in effect through June 30, 2025 (fourteen years). The effective date is scheduled to coincide with the scheduled expiration of the 1% temporary State sales tax on July 1, 2011. If Measure S-2010 is approved by the voters and the 1% State sales tax lapses as scheduled, the County of Santa Barbara's sales tax rate would drop from 8.75% to 8.25% on July 1, 2011.

Per estimates contained in documents provided by the County, the ½ percent increase would generate approximately \$30 million per year in additional sales tax revenues countywide. However, the Auditor-Controller has been directed to prepare a fiscal

Council Agenda Report

Request From Mayor Schneider And Councilmember Francisco Regarding Sheriff Bill Brown's Initiative For ½ Percent Sales Tax For Public Safety (Measure S-2010)

August 10, 2010

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impact statement pursuant to the State Elections Code, providing more accurate estimates.

Because this is a special tax, Measure S-2010 needs a two-thirds voter approval on the November 2, 2010 ballot to be passed.

Expenditure Plan

Measure S-2010 would increase the sales tax rate by ½ percent countywide. The proceeds of this sales tax increase would be collected by the County of Santa Barbara and allocated as follows:

Jail Construction (Years 1-4) and Annual Maintenance (Years 5-14)	50%
Prevention & Alternatives to Incarceration	25%
Front-Line Law Enforcement & Fire Protection – County, Cities and Fire Districts	<u>25%</u>
TOTAL	<u>100%</u>

In years 1-4, 50% of the proceeds will be used to fund the County's matching portion, estimated at \$60 million, for construction of a new jail facility. The balance of construction funds is expected to be made available by a State funded AB 900 grant which will provide approximately 75% of the total on-site construction costs. In years 5-14, the 50% share of the proceeds will be used to pay ongoing costs of operating the new jail facility. At the expiration of Measure S-2010 in June 30, 2025, new funding will have to be identified to fund the ongoing operating costs of the jail. These costs are currently estimated at \$15 million per year and are not adjusted for any general increase in costs.

The 25% portion allocated to prevention and alternatives to incarceration will fund programs administered by the County of Santa Barbara.

The 25% portion annually allotted each year for front-line law enforcement and fire protection services, will be allocated to each jurisdiction on a per capita (i.e., population) basis. These amounts will be subject to change based on: 1) actual revenues generated; 2) any changes to population as published by the State Department of Finance; and 3) the failure of an entity to maintain the baseline public safety budget as discussed below under Maintenance of Effort. The City of Santa Barbara's share of the 25% allocated for front-line law enforcement and fire protection is estimated at approximately \$1.8 million. This is based on a preliminary estimate of \$30 million in total proceeds. Although 25% of the proceeds are allocated both to front-line fire protection and law enforcement, the cities of Santa Barbara, Santa Maria, Lompoc and Guadalupe may distribute their total allocation of funding between police and fire as determined by their governing body since these cities have their own fire and police departments.

Collection and Allocation of Proceeds

The Auditor-Controller will be required to create a separate account into which all proceeds from Measure S-2010 would be deposited. In addition, the Auditor-Controller will calculate the amounts to be allocated to the various jurisdictions. Per the proposed ordinance, the Auditor-Controller will retain an amount not to exceed 0.5% of the total proceeds received as reimbursement for costs incurred in the performance of these administrative functions. Based on the total estimated proceeds of \$30 million, the County would retain an amount not to exceed \$150,000. In addition the County will be reimbursed from the next tax revenues received during the first year of the measure for any election costs and start-up costs required by State law, borne by the County.

Changes to Expenditure

The County of Santa Barbara Board of Supervisors may propose amendments to the Expenditure Plan contained in the proposed ordinance to adjust for changes in federal, state, and local revenues; to account for unexpected revenues; or to take into consideration unforeseen circumstances. The Board will have the authority to make these amendments administratively without being required to secure ratification by the electorate. For example, if the State funding from AB 900 does not materialize, or a sum less than anticipated is distributed to the County, the Board may adjust the Expenditure Plan to provide the necessary capital funding for the new jail construction, but only from the 50% allocation for new jail construction/maintenance.

Amendments to the Expenditure Plan for front-line law enforcement and fire protection services will be made in conjunction with representative cities and fire districts.

An amendment of the Expenditure Plan must be passed by a 4/5 vote of the Board of Supervisors' roll call. The Board would be required to hold formal, noticed, public hearings on the matter before any adoption of amendments to the Plan.

Maintenance of Effort Requirements

The County, cities and fire districts receiving Measure S-2010 funds may not use these revenues to supplant existing front-line law enforcement and fire protection funding identified as regular and recurring. Such "maintenance of effort" will be determined upon a calculation of baseline public safety, General Fund, expenditures for Fiscal Year 2010.

In order to receive their full share of the tax proceeds for a given fiscal year, the County, cities, and fire districts must maintain their baseline front-line law enforcement and fire protection General Fund expenditures. However, an agency may reduce their baseline funding in a percentage no greater than those reductions made to all other non-safety General Fund departments in a given fiscal year.

Council Agenda Report

Request From Mayor Schneider And Councilmember Francisco Regarding Sheriff Bill Brown's Initiative For ½ Percent Sales Tax For Public Safety (Measure S-2010)

August 10, 2010

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Each year, the City must provide the County Auditor-Controller a Council-adopted resolution containing a "Statement of Qualifying Expenditures" certifying that the proposed expenditures are consistent with the Expenditure Plan and are in compliance with the maintenance of effort requirements.

ATTACHMENT(S):

1. Memo from Mayor Schneider and Councilmember Francisco
2. County of Santa Barbara Board Report Regarding Measure S-2010

PREPARED BY: Robert Samario, Finance Director

SUBMITTED BY: James Armstrong, City Administrator

APPROVED BY: City Administrator's Office



City of Santa Barbara
Mayor and Council Office

Memorandum

DATE: July 20, 2010

TO: Jim Armstrong, City Administrator

FROM: Helene Schneider, Mayor
Dale Francisco, Councilmember

SUBJECT: Request to agendize an item regarding Sheriff Bill Brown's initiative for the local crime and gang reduction, fire protection and jail construction/operation ordinance imposing a County of Santa Barbara ½ percent transaction (sales) and use tax ballot measure (Measure S-2010).

Pursuant to Council Resolution No. 09-097 regarding the Conduct of City Council Meetings, we request that an item be placed on the Santa Barbara City Council Agenda regarding the Sheriff's Initiative to increase the sales tax in Santa Barbara County by ½ percent.

This item meets the following criteria as explained below.

- A. A substantive outline or summary of the information that will be presented to the City Council;

To receive information regarding Sheriff Bill Brown's initiative for the local crime and gang reduction, fire protection and jail construction/operation ordinance imposing a County of Santa Barbara ½ percent transaction (sales) and use tax ballot measure (Measure S-2010).

- B. A concise statement of the specific action the City Council will be asked to take on the item; and

That the Council adopt a Resolution of support for the ½ percent sales tax.

- C. A statement of the reasons why the requesting party believes it is appropriate and within the jurisdiction of the City Council to consider this subject matter and to take the requested action.

It is appropriate for the City Council to consider this matter because the City of Santa Barbara would be subject to the ½ percent sales tax initiative that Sheriff Brown is proposing and receive some of the funding from sales tax revenue. Therefore, it is important that the Santa Barbara Council discuss and hear from Sheriff Brown to consider supporting this tax.

cc: Mayor and Councilmembers
Steve Wiley, City Attorney




**BOARD OF SUPERVISORS
AGENDA LETTER**

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Sheriff
Department No.:
For Agenda Of: July 13, 2010
Placement: Departmental
Estimated Time: 15 min.
Continued Item: June 22, 2010
If Yes, date from:
Vote Required: 4/5

TO: Board of Supervisors
FROM: Department Bill Brown, Sheriff 
Director(s)
Contact Info: Ken Shemwell, Undersheriff 681.4290
Terri Nisich, Assistant CEO 568.3404
SUBJECT: Consideration of Local Crime & Gang Reduction, Fire Protection and Jail Construction/Operation Ordinance Imposing a County of Santa Barbara ½ Percent Transactions (Sales) and Use Tax Ballot Measure

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence:

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- A. Adopt (second reading) an Ordinance Imposing a County of Santa Barbara ½ Percent Transactions (Sales) and Use Tax for Local Crime & Gang Reduction, Fire Protection and Jail Construction/Operation to be administered by the State Board of Equalization;
- B. Adopt a Resolution Calling and Providing For an Election to be Held on November 2, 2010 to Submit to the Qualified Electors of the County of Santa Barbara a Measure on Whether to Approve an Ordinance Imposing a County of Santa Barbara ½ Percent Transactions (Sales) and Use Tax for Local Crime & Gang Reduction, Fire Protection and Jail Construction/Operation and Requesting and Ordering That the Election Be Consolidated with the November 2, 2010 Election;
- C. Direct the Auditor-Controller to review the Ordinance/Measure and determine whether the substance thereof, if adopted, would affect the revenues or expenditures of the County, and to prepare a fiscal impact statement pursuant to Elections Code Section 9160(c); and

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- D. Set Hearing for July 27, 2010 to consider, adopt and authorize filing of, an Argument in Favor of the Measure (Ordinance Imposing a County of Santa Barbara ½ Percent Transactions (Sales) and Use Tax for Local Crime & Gang Reduction, Fire Protection and Jail Construction/Operation.)

Summary Text

On June 22, 2010, the Board of Supervisors considered the possibility of placing a measure on the November 2, 2010 election ballot to increase the transactions ("sales") and use tax by ½ percent to fund the construction and operation of a new jail; enhanced front-line law enforcement and fire protection services in the cities and unincorporated areas; and prevention, treatment, rehabilitation programs and alternatives to incarceration proven to reduce incidences of repeat criminal offenses. The measure presented to the Board proposed a ½ percent sales tax increase for ten years (7/1/2011-6/30/2021) with the funding proposed to be generated by said measure to be allocated to jail construction and operation (50% or \$15 million/year); enhanced law enforcement and fire protection services to cities and fire districts on a per capita basis (34% or 10 million/year); prevention, treatment and alternatives-to-incarceration proven to reduce recidivism (16% or \$5 million/year).

During this hearing, the Board provided several suggested changes regarding the following items: (1) proposed allocation of the sales tax to various fire and law enforcement entities and services; (2) timing in terms of extending the sales tax and (3) additional information and details regarding the oversight committee. The revised ordinance presented for consideration by the Board on July 6, 2010 reflects these changes. Specifically, the measure would: (1) exist for fourteen years from 7/1/2011 to 6/30/2025 to coincide with the 2024 Presidential election; (2) allocate an additional \$1.25 million to countywide watershed protection (Santa Barbara County Fire Protection District) and (3) create an Independent Citizen's Oversight Advisory Committee tasked with financial oversight to augment the committee focusing solely on program evaluation and funding allocation for recidivism reduction efforts and alternatives-to-incarceration.

Background:

Based on the recommendations of the Blue Ribbon Commission, the findings derived from the resident's survey, and direction received from the Board of Supervisors on June 22, 2010, the following ballot measure is recommended:

County of Santa Barbara ½ Percent Transactions (Sales) and Use Tax Ordinance for Local Crime & Gang Reduction, Fire Protection and Jail Construction/Operation

"Shall the County of Santa Barbara Ordinance to strengthen front-line law enforcement and fire protection within the County of Santa Barbara and Buellton, Carpinteria, Goleta, Guadalupe, Lompoc, Santa Barbara, Santa Maria, and Solvang and Carpinteria-Summerland, Montecito and County Fire Districts, construct and operate a 304-bed jail, repair existing correctional infrastructure and fund repeat offender reduction efforts and alternatives-to-incarceration, with a ½ percent Transactions (Sales) and Use Tax increase beginning 7/01/2011 through 6/30/2025, and advisory committee oversight be approved?"

Yes _____

No _____

Revised Ballot Measure Proposal

The proposed ballot measure recommended for November 2, 2010 would authorize a one half of one percent (½%) Transactions (Sales) and Use Tax for the purposes listed below, in accordance with key provisions of the ordinance as illustrated below:

- The tax will be levied for fourteen (14) years.
- Revenue from the tax may only be used for enhanced sworn front-line law enforcement and fire protection services, new jail construction and operation, repair of existing correctional facilities infrastructure, financing costs, recidivism reduction efforts, and alternatives-to-incarceration programs to reduce the number of future inmates.
- The measure is expected to generate approximately \$30 million annually to be apportioned by the following percentages:
 - a. Construction, and future operation of a new jail facility and repair of existing correctional facilities infrastructure (50%-approximately \$15 million based on an estimated \$30 million in gross revenue)
 - b. Front-line sworn law enforcement and fire protection services (34%-approximately \$10 million based on an estimated \$30 million in gross revenue)
 1. Law Enforcement (approximately \$5 million based on an estimated \$30 million in gross revenue) to the County and cities
 2. Fire Protection (approximately \$5 million based on an estimated \$30 million in gross revenue)
 - i. 75% front-line fire protection (approximately \$3.75 million) to the cities and all fire protection districts
 - ii. 25% countywide watershed fire protection (approximately \$1.25 million) to the Santa Barbara County Fire Protection District
 - c. Recidivism reduction efforts and alternatives-to-incarceration programs (16%-approximately \$5 million based on an estimated \$30 million in gross revenue)
- An Independent Oversight Advisory Committee will be appointed by the County of Santa Barbara Board of Supervisors to help ensure accountability to voters regarding the expenditure of funds, and to assist the Board of Supervisors in ensuring that all provisions, requirements and voter mandates specified in the Ordinance and corresponding Expenditure Plan are properly carried out.
- A separate Advisory Committee on recidivism reduction efforts and alternatives-to-incarceration programs will also be appointed by the County Board of Supervisors to develop a recommended

funding plan for the 16% percent of funds specifically dedicated to such efforts and to advise the County of Santa Barbara Board of Supervisors on program delivery.

- All funds derived from this measure remain local and cannot be taken by or redirected to the State of California.

Expenditure Plan

The following Expenditure Plan represents estimated allocations for the first year that the Transaction (Sales) and Use Tax revenue is collected and distributed based on population figures published by the State Department of Finance in 2009. The allocations may change from year to year based on such factors as the actual revenue received, changes in population, the failure of an entity to maintain its baseline public safety budget as defined within the ordinance or authorized amendments to the Expenditure Plan.

New Jail Construction, Operation and Repair of Existing Correctional Facilities Infrastructure (50% Total Revenue – Approximately \$15 million based on an estimated gross revenue of \$30 million)

Year 1 - 4 \$15 million annually based on estimated gross revenue of \$30 million.

For construction of new jail facility (\$60 million over an estimated 4 years) - Funds will serve as match monies to State funded AB 900 grant funding anticipated to provide approximately 75% of the total on-site jail construction costs.

Measure funding may also be utilized for associated off-site construction and related costs not eligible for AB 900 grant monies, and repair of existing correctional facilities infrastructure.

Year 5 – 14 \$15 million annually based on estimated gross revenue of \$30 million.

Approximately \$15 million annually will be dedicated to the ongoing costs of operations of the new jail facility.

Recidivism Reduction Efforts and Alternatives-to-Incarceration

(16% Total Revenue - Approximately \$5 million based on estimated gross revenue of \$30 million)

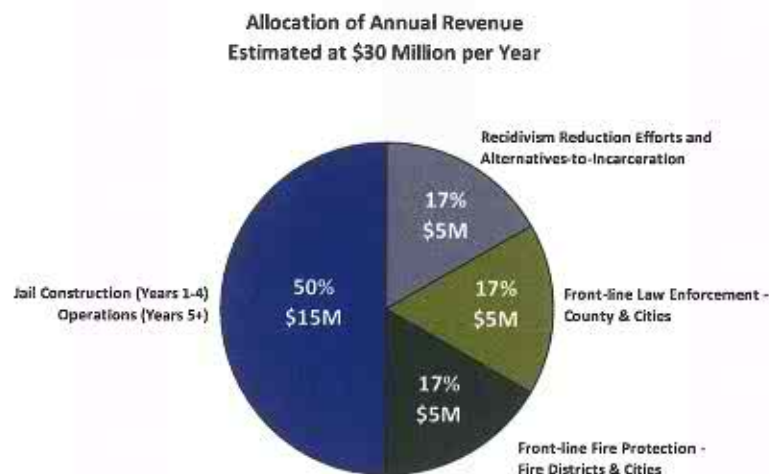
Year 1 – 14 \$5 million annually based on estimated gross revenues of \$30 million.

Funds shall be used for recidivism reduction efforts and alternatives-to-incarceration, such as, but not limited to, the following program areas: Intensive probation/supervision, drug treatment (in-custody and in-community), alternative treatment courts, mental health services, homeless and mental health jail discharge planning, gang prevention/intervention, truancy programs, day reporting centers, sobering and detoxification centers, work furlough programs, and vocational education and training.

All funds derived from the 16% dedicated to recidivism reduction efforts and alternatives-to-incarceration programs shall be monitored by an advisory committee comprised of subject matter experts who will provide recommendations to the County Board of Supervisors regarding funding allocations, program delivery and effectiveness. The Committee shall ensure that funds are used in a manner consistent with that specified in the measure. The Committee shall be appointed by the County of Santa Barbara Board of Supervisors.

Enhanced Front-line Law Enforcement and Fire Protection Services

(34% Total Revenue - Approximately \$10 million based on an estimated gross revenue of \$30 million)
Funds may be used for front-line sworn law enforcement and front-line fire protection, countywide watershed protection and fire suppression.



Generally, public safety funding will be allocated on a 50/50 sharing ratio between law enforcement and fire protection. However, the cities of Santa Barbara, Santa Maria, Lompoc and Guadalupe, given they have their own fire departments and police departments, may distribute their total allocation of funding for front-line law enforcement and fire protection services in a percentage as determined by their governing body. The Cities of Santa Maria, Santa Barbara, Lompoc, and Guadalupe may allocate the total proceeds derived from revenues between front-line law enforcement and fire protection at the discretion of their local governing bodies as long as their municipal fire departments are maintained and do not become part of a fire protection district. In the event a city joins a fire protection district, its per capita funding for fire will shift to such district.

Based on the overall benefit derived by the County as a whole through enhanced front-line law enforcement and fire protection readiness, funds will be distributed to public safety agencies, identified in the chart within the ordinance, on a per capita percentage basis. In addition, recognizing the countywide need for wild land-urban interface fire protection and suppression, 25% of the total fire protection allocation will be directed to the Santa Barbara County Fire Protection District for countywide watershed protection. The remaining 75% of the fire protection funding will be directed to fire districts/agencies on a per capita percentage basis as illustrated on the chart below.

During the first year the tax is levied, revenues will be apportioned among the County, all cities within the County (Cities) and the Santa Barbara County, Carpinteria-Summerland and Montecito Fire Protection Districts (Fire Districts) on the following basis (Assuming \$10 million for distribution based on assumed gross revenue of \$30 million.)

All amounts referenced in the following chart are based on an estimated gross of \$30 million in revenue.

County/City	Fire Protection	Percent of Fire Protection	Law Enforcement	Percent of Law Enforcement	Total	Percent of Total
County of Santa Barbara	SBCFPD	-	\$ 1,668,919	33%	\$ 1,668,919	17%
Countywide Watershed Protection (SBCFPD)	1,250,000	25%			1,250,000	12%
Santa Barbara County Fire Protection District	1,504,845	30%	-	0%	1,504,845	15%
City of Santa Maria	804,597	16%	1,072,796	21%	1,877,394	19%
City of Santa Barbara	785,174	16%	1,046,899	21%	1,832,073	18%
City of Lompoc	372,920	7%	497,227	10%	870,147	9%
City of Goleta	SBCFPD	-	353,294	7%	353,294	4%
Carp-Summerland (FPD)	138,710	3%	-	-	138,711	1%
City of Carpinteria	CSFPD	-	167,037	3%	167,037	2%
City of Guadalupe	56,809	1%	75,746	2%	132,555	1%
Montecito (FPD)	86,944	2%	-	-	86,944	1%
City of Solvang	SBCFPD	-	63,133	1%	63,133	1%
City of Buellton	SBCFPD	-	54,949	1%	54,949	1%
Total	\$ 5,000,000	100%	\$ 5,000,000	100%	\$ 10,000,000	100%

- The County, Cities and Fire Districts may not use revenue derived by the measure to supplant existing front-line law enforcement and fire protection funding sources identified as regular and recurring. Such will be determined upon a calculation of baseline public safety general fund contributions for Fiscal Year 2009/10 by the County, Cities and Fire Districts. In order to receive their full share of tax proceeds for a given fiscal year, the County, Cities and Fire Districts must maintain their baseline front-line law enforcement and fire protection (public safety) general fund contribution. However, an agency's front-line public safety funding general fund contribution may be reduced compared to its baseline general fund contribution in a percent no more than that by which other combined general fund contributions of all other non-public safety departments for the prior fiscal year were reduced. In the event the County, a City or Fire District reduces its front-line law enforcement and fire protection (public safety) general fund contributions, measured on a percentage basis, more than the percentage of the combined general fund contributions of all other non-public safety departments of the prior year's combined budget, the tax revenue that would otherwise have been paid to the County, City or Fire District will be reduced by the difference of those variances. The remainder from the reduction(s) shall be distributed to the other qualifying agencies on a per capita percentage basis.
- Each year, the County, Cities and Fire Districts shall provide the County of Santa Barbara Auditor-Controller a resolution adopted by their respective governing bodies containing a "Statement of Qualifying Expenditures" and certifying that proposed expenditures are consistent with the Expenditure Plan and "no supplanting" or baseline maintenance of efforts/general fund contribution requirements referenced within this Ordinance are met. The Auditor-Controller shall

disburse funds on a monthly basis consistent with the distribution schedule of the California State Board of Equalization.

- Beginning FY 2011/12, before the net proceeds from the Transactions (Sales) and Use Tax revenue for the year may be distributed to the County, Cities or Fire Districts, an authorizing resolution must be adopted by the Board of Supervisors providing for the distribution on the per capita/percentage distribution referenced for the County, Cities and Fire Districts. Upon adoption of the annual resolution of the Board of Supervisors, the County Auditor-Controller will disburse funds in the appropriate amounts noted within the resolution to the County, Cities and Fire Districts.

Disposition of Sales Tax:

In Fiscal Year 2009-10 \$459M of Sales Tax revenue for State and Local governments was generated in Santa Barbara County. The following chart represents the estimated Sales Tax for Fiscal Year 2009/10 distribution to agencies.

Sales & Use Tax	Rate (%)	County (\$)	Cities & Other Entities (\$)	State (\$)	Total Amount(\$)
State of California -General Fund	5.00	-	-	260.0	260.0
Temporary 1% Sales Tax Rate Increase*	1.00	-	-	52.0	52.0
Economic Recovery Fund: "Triple Flip"	0.25	-	-	13.0	13.0
Public Safety - Prop 172	0.50	25.3	0.7	-	26.0
County Health & Welfare - Realignment	0.50	17.4	8.6	-	26.0
City & County Road - Measure D	0.50	5.5	24.5	-	30.0
Countywide Transportation-LTF	0.25	1.0	12.0	-	13.0
County & Cities General Operations - Local Bradley Burns Sales Tax	0.75	7.4	31.6	-	39.0
Total Tax Revenue Received:	8.75	56.6	77.4	325.0	459.0

*The Sales and Use Tax Rate increased on April 1, 2009 resulting in the State's rate increasing from 5% to 6%.

- The 1% temporary State Sales Tax increase to 6% is anticipated to revert back to 5% on July 1, 2011. This sunset of the temporary State Sales Tax coincides with the timing of the ½% proposed increase in the ballot measure.

Should the proposed ballot measure be approved an 8.25% sales tax rate would exist in Santa Barbara County.

Estimated

Sales & Use Tax	Rate (%)	County (\$)	Cities & Other Entities (\$)	State (\$)	Total Amount(\$)
State of California - General Fund	5.00	-	-	260.0	260.0
Public Safety & Jail Construction ½ % *	0.50	21.7	8.3	-	30.0
Economic Recovery Fund: "Triple Flip"	0.25	-	-	13.0	13.0
Public Safety - Prop 172	0.50	25.3	0.7	-	26.0
County Health & Welfare - Realignment	0.50	17.4	8.6	-	26.0
City & County Road - Measure D	0.50	5.5	24.5	-	30.0
Countywide Transportation-LTF	0.25	1.0	12.0	-	13.0
County & Cities General Operations - Local Bradley Burns Sales Tax	0.75	7.4	31.6	-	39.0
Total Tax Revenue Received:	8.25	81.9	82.1	273.0	437.0

*estimate of \$30 million

Advisory Committees

An Independent Citizens' Crime Reduction and Fire Protection Oversight Advisory Committee shall be established by the County of Santa Barbara Board of Supervisors to monitor the expenditures of revenue collected pursuant to this ordinance only and to report to the People and the County of Santa Barbara Board of Supervisors.

The Committee shall consist of five members appointed by the County of Santa Barbara Board of Supervisors. Of the members first appointed, three members shall be for a term of two years and two members shall be appointed for a term of three years. No member shall serve more than two consecutive three year terms. The County of Santa Barbara Board of Supervisors shall solicit members for the Independent Citizens' Crime Reduction and Fire Protection Oversight Advisory Committee through an open application process. Any resident of the County of Santa Barbara is eligible to apply for Committee membership, subject to the restrictions specified above. Applicants which have specific executive level, large scale private or public sector financial operations expertise and/or prior committee experience are encouraged. The Independent Citizens' Crime Reduction and Fire Protection Oversight Advisory Committee shall meet as needed, but at least twice per fiscal year with specific meeting dates to be determined by Committee members in accordance with the Brown Act. The Committee will be tasked with conducting an annual review of expenditures of revenue collected pursuant to this ordinance to determine whether such funds are expended for the purposes specified in the Expenditure Plan and issuing an annual report on its findings to the County of Santa Barbara Board of Supervisors and the Cities and Fire Protection Districts that participate in the allocation of revenues.

A separate Advisory Committee for Recidivism Reduction Efforts and Alternatives-to-Incarceration will also be appointed by the Board of Supervisors to provide input to help ensure accountability to voters

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regarding the expenditure of the 16% of the tax revenue dedicated to recidivism reduction efforts and alternatives-to-incarceration and to assist the Board of Supervisors in ensuring that all provisions and requirements and voter mandates specified in the Expenditure plan and Ordinance related to such revenue are properly carried out.

The Advisory Committee shall consist of seven members to include subject matter experts in fields such as but not limited to: Substance abuse prevention, treatment and recovery, mental health treatment, vocational training, general education development, intensive probation supervision, proven alternatives-to-incarceration models, drug and mental health courts, inmate discharge planning services, gang prevention and intervention and criminal justice systems. The County of Santa Barbara Board of Supervisors shall solicit members for the Committee, through an open application process. All applications will be reviewed by the Board of Supervisors, which will have the authority to make final decisions regarding Committee composition, subject to the guidelines in this Ordinance. The Advisory Committee for Recidivism Reduction Efforts and Alternatives-to-Incarceration shall develop a process to annually solicit, review and recommend requests for funding from qualified service providers to the Board of Supervisors and conduct an annual review of expenditures of revenue collected pursuant to this ordinance to determine whether such funds are expended for the purposes specified in the Expenditure Plan. Specific duties of the Committee include but are not limited to:

- A. Recommending the allocation of funds emphasizing proven programs including intensive community supervision, prevention, intervention, rehabilitation and alternatives-to-incarceration programs designed to reduce crime and recidivism.
- B. Evaluating all implemented programs relative to the goals of ensuring that programs initiated eliminate the need for future correctional facility beds.

The Advisory Committee for Recidivism Reduction Efforts and Alternatives-to-Incarceration shall issue an annual report on their findings to the Board of Supervisors.

Performance Measure:

Performance measures to be determined for individual programs and services.

Fiscal and Facilities Impacts:

Budgeted: No

Fiscal Analysis: The ballot measure is anticipated to generate approximately \$30 million annually to be allocated among jail construction and operations, front-line law enforcement, front-line fire protection and recidivism reduction efforts and alternatives-to-incarceration.

Special Instructions:

Direct all items to the Clerk Recorder Assessor for inclusion in the November 2, 2010 Election materials.

Attachments:

Resolution

Ordinance

Authored by:

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Ken Shemwell, Undersheriff
Terri Nisich, Assistant CEO

cc:

Joe Holland, Clerk Recorder Assessor
Bob Geis, Auditor-Controller
Dennis Marshall, County Counsel
Mike Dyer, Fire Chief



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: August 3, 2010

TO: Mayor and Councilmembers

FROM: Planning Division, Community Development Department

SUBJECT: *Plan Santa Barbara*, Summary Direction

RECOMMENDATION:

That Council hold a work session and provide direction to staff for preparation of the Final Environmental Impact Report (EIR) and General Plan Update policy documents.

DISCUSSION:

The purpose of the *Plan Santa Barbara* General Plan Update work sessions held in July was for Council to review both the overall policy framework and to discuss in more depth a number of key policy issues.

The City Council's direction is needed at this phase of the process in order to guide the staff in preparation of the policy documents and the EIR for final review by the Planning Commission prior to the General Plan returning to Council. During the final phase before the Planning Commission and the public, there are likely to be some additional policy adjustments. What is key for Council now is to work together to provide direction so that the final General Plan documents have the greatest likelihood for Council super-majority support in the fall. Staff feels that receiving clear direction from the City Council at this point is critical since final review and recommendations at the Planning Commission are scheduled for this September with the final Council review and adoption in October/November of this year.

The Planning Commission's recommended direction was the focus of a Special Joint Meeting on June 22 and 23. The Commission developed a hybrid approach, selecting the components from each of the four growth alternative scenarios analyzed in the DEIR, and forwarding a set of key policy recommendations that meet the following criteria:

- Mitigate environmental impacts to the maximum extent feasible;
- Maximize the achievement of Plan Objectives set forth in the framework and principles, including Living within Our Resources;
- Achieve internal consistency among the policies;
- Ensure the policies are operational and capable of being implemented;
- Stimulate economic vitality.

Staff will present the evolution of key policy issues starting with the *PlanSB* project description as studied in the DEIR; then, we will review the Planning Commission hybrid alternative recommendation and the present a decision matrix which includes the Council direction to date. This matrix will be provided before the meeting.

The next steps in the process will include all of the following: finalize the EIR and policy documents; release documents for public review and comment at the September 9, 2010 Planning Commission hearing; Planning Commission review, FEIR certification and recommendations to Council; and then the Council adoption hearing in late October or early November. Following action by Council, staff will return with more specifics on a work program for implementation. This could occur at the semi-annual Planning Commission/City Council meeting that usually occurs in February/March.

PREPARED BY: Bettie Weiss, City Planner

SUBMITTED BY: Paul Casey, Assistant City Administrator

APPROVED BY: City Administrator's Office